

REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are requested.

In item 1 on page 2 of the Office Action, the Examiner states that the original patent, or a statement as to loss or inaccessibility of the original patent, must be received before the reissue application can be allowed. The original patent 5,802,241 was submitted in connection with reissue application 09/698,367, now Reissue Patent RE 38,483.

The status of the claims is as follows. Claims 1-5 were canceled in the Preliminary Amendment of February 18, 2004. Claims 6-11 are amended herein. Claims 12-29 are added herein. Therefore, claims 6-29 are pending.

Support for the newly added claim recitations can be found at least at column 54, lines 50-54, and column 19, lines 57-60.

In the Office Action, claims 6-11 were indicated as containing allowable subject matter. By this amendment, claims 6-11 have been amended simply to change the words "has" and "having" to the words "includes" and "including," respectively, with respect to the inclusion of "information representing the value of n" in the "first data stream." Also, claims 8 and 11 have been amended to remove the language "the first data stream without being interleaved and the demodulated data stream being interleaved" in the "demodulator" and "demodulating" paragraphs and to state instead that the first data stream is a "non-interleaved data stream" and the demodulated data stream is an "interleaved data stream" in order to avoid an incorrect claim construction whereby a step of interleaving is read into the receiving apparatuses and/or methods. Accordingly, it is submitted that claims 6-11 remain allowable for the same reasons as before this amendment. Note that even though claims 6-11 are amended herein as described above, claims 6-11 are submitted as completely underlined as required under the reissue rules to show all changes with respect to the original patent.

New claims 12-17 are similar to claims 6-11, respectively, and differ in that they recite that the "first data stream" includes "information representing a modulation scheme" rather than "information of the value of n." New claims 18-23 differ from claims 6-11 in that they relate to QAM or PSK modulated signals rather than VSB modulated signals. New claims 24-29 include the

recitations of QAM or PSK modulated signals as in claims 18-23 but recite that the "first data stream" includes "information representing a modulation scheme" rather than "information of the value of n."

It is submitted that claims 6-29 are allowable over the prior art of record.

The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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